

most modern facilities for automotive research;

Whereas Ford's innovation continued through the 1980s with the introduction of the Ford Taurus, which was named the 1986 Motor Trend Car of the Year and which resulted in a new commitment to quality at Ford and in future aerodynamic design trends in the industry;

Whereas Ford's innovation continued through the 1990s with the debut in 1993 of the Ford Mondeo, European Car of the Year, the redesigned 1994 Ford Mustang, and the introduction in 1990 of the Ford Explorer, which defined the sport utility vehicle (SUV) segment and remains the best selling SUV in the world;

Whereas as the 21st century begins, Ford continues its marvelous record for fine products with the best-selling car in the world, the Ford Focus, and the best-selling truck in the world, the Ford F-Series;

Whereas the Ford Motor Company is the world's second largest automaker and includes Ford, Lincoln, Mercury, Aston Martin, Jaguar, Land Rover, Volvo, and Mazda automotive brands, as well as diversified subsidiaries in finance and other domestic and international business areas; and

Whereas on October 30, 2001, William Clay Ford, Jr., the great-grandson of Henry Ford, became Chairman and Chief Executive Officer of Ford Motor Company, and as such is concentrating on the fundamentals that have powered the company to greatness over the last century and made it a world-class auto and truck manufacturer, and that will continue to carry the company through the 21st century with even better products and innovations: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes—

(A) the 100th anniversary year of the founding of the Ford Motor Company, which has been a significant part of the social, economic, and cultural heritage of the United States and many other nations, and a revolutionary industrial and global institution; and

(B) the truly wondrous achievements of the Ford Motor Company, as its employees, retirees, suppliers, dealers, its many customers, automotive enthusiasts, and friends worldwide commemorate and celebrate its 100th anniversary milestone on June 16, 2003;

(2) congratulates the Ford Motor Company for its achievements; and

(3) expects that the Ford Motor Company will continue to have an even greater impact in the 21st century and beyond by providing innovative products that are affordable and environmentally sustainable, and that will enhance personal mobility for generations to come.

#### OMBUDSMAN REAUTHORIZATION ACT OF 2003

Mr. BROWNBAC. I ask unanimous consent that the Senate proceed to the immediate consideration of calendar No. 103, S. 515, reported out of the Environment and Public Works Committee earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 515) to provide additional authority to the Office of Ombudsman of the Environmental Protection Agency.

There being no objection, the Senate proceeded to consider the bill.

Mr. BROWNBAC. I ask unanimous consent that the bill be read the third time and passed, the motion to recon-

sider be laid upon the table, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 515) was read the third time and passed, as follows:

S. 515

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Ombudsman Reauthorization Act of 2003".

#### SEC. 2. OFFICE OF OMBUDSMAN.

Section 2008 of the Solid Waste Disposal Act (42 U.S.C. 6917) is amended to read as follows:

##### "SEC. 2008. OFFICE OF OMBUDSMAN.

"(a) DEFINITIONS.—In this section:

"(1) AGENCY.—The term 'Agency' means the Environmental Protection Agency.

"(2) DEPUTY OMBUDSMAN.—The term 'Deputy Ombudsman' means any individual appointed by the Ombudsman under subsection (e)(1)(A)(i).

"(3) OFFICE.—The term 'Office' means the Office of the Ombudsman established by subsection (b)(1).

"(4) OMBUDSMAN.—The term 'Ombudsman' means the director of the Office.

"(b) ESTABLISHMENT.—

"(1) IN GENERAL.—There is established within the Agency an office to be known as the 'Office of the Ombudsman'.

"(2) OVERSIGHT.—

"(A) IN GENERAL.—The Office shall be an independent office within the Agency.

"(B) STRUCTURE.—To the maximum extent practicable, the structure of the Office shall conform to relevant professional guidelines, standards, and practices.

"(3) HEAD OF OFFICE.—

"(A) OMBUDSMAN.—The Office shall be headed by an Ombudsman, who shall—

"(i) be appointed by the President by and with the advice and consent of the Senate; and

"(ii) report directly to the Administrator.

"(B) QUALIFICATIONS FOR AND RESTRICTIONS ON EMPLOYMENT.—A person appointed as Ombudsman—

"(i) shall have experience as an ombudsman in a Federal, State, or local government entity; and

"(ii) shall not have been an employee of the Agency at any time during the 1-year period before the date of appointment.

"(C) TERM.—The Ombudsman—

"(i) shall serve for a term of 5 years; and

"(ii) may be reappointed for not more than 1 additional term.

"(D) REMOVAL.—

"(i) IN GENERAL.—The President may remove or suspend the Ombudsman from office only for neglect of duty or malfeasance in office.

"(ii) COMMUNICATION TO CONGRESS.—If the President removes or suspends the Ombudsman, the President shall communicate the reasons for the removal or suspension to Congress.

"(c) DUTIES.—The Ombudsman shall—

"(1) receive, and render assistance concerning, any complaint, grievance, or request for information submitted by any person relating to any program or requirement under—

"(A) this Act;

"(B) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); or

"(C) any other program administered by the Office of Solid Waste and Emergency Response of the Agency; and

"(2) conduct investigations, make findings of fact, and make nonbinding recommenda-

tions to the Administrator concerning the programs and requirements described in paragraph (1).

"(d) POWERS AND RESPONSIBILITIES.—In carrying out this section, the Ombudsman—

"(1) may investigate any action of the Agency without regard to the finality of the action;

"(2) may select appropriate matters for action by the Office;

"(3) may—

"(A) prescribe the methods by which complaints shall be made to, and received and addressed by, the Office;

"(B) determine the scope and manner of investigations made by the Office; and

"(C) determine the form, frequency, and distribution of conclusions and recommendations of the Office;

"(4) may request the Administrator to provide the Ombudsman notification, within a specified period of time, of any action taken on a recommendation of the Ombudsman;

"(5) may request, and shall be granted by any Federal agency or department, assistance and information that the Ombudsman determines to be necessary to carry out this section;

"(6) may examine any record of, and enter and inspect without notice any property under the administrative jurisdiction of—

"(A) the Agency; or

"(B) any other Federal agency or department involved in a matter under the administrative jurisdiction of the Office of Solid Waste and Emergency Response of the Agency;

"(7) may—

"(A) issue a subpoena to compel any person to appear to give sworn testimony concerning, or to produce documentary or other evidence determined by the Ombudsman to be reasonable in scope and relevant to, an investigation by the Office; and

"(B) seek enforcement of a subpoena issued under subparagraph (A) in a court of competent jurisdiction;

"(8) may carry out and participate in, and cooperate with any person or agency involved in, any conference, inquiry on the record, public hearing on the record, meeting, or study that, as determined by the Ombudsman—

"(A) is material to an investigation conducted by the Ombudsman; or

"(B) may lead to an improvement in the performance of the functions of the Agency;

"(9) may administer oaths and hold hearings in connection with any matter under investigation by the Office;

"(10) may engage in alternative dispute resolution, mediation, or any other informal process that the Ombudsman determines to be appropriate to carry out this section;

"(11) may communicate with any person, including Members of Congress, the press, and any person that submits a complaint, grievance, or request for information under subsection (c)(1); and

"(12) shall administer a budget for the Office.

"(e) ADMINISTRATION.—

"(1) IN GENERAL.—The Ombudsman shall—

"(A)(i) appoint a Deputy Ombudsman for each region of the Agency; and

"(ii) hire such other assistants and employees as the Ombudsman determines to be necessary to carry out this section; and

"(B) supervise, evaluate, and carry out personnel actions (including hiring and dismissal) with respect to any employee of the Office.

"(2) DELEGATION OF AUTHORITY.—The Ombudsman may delegate to other employees of the Office any responsibility of the Ombudsman under this section except—

"(A) the power to delegate responsibility;

"(B) the power to issue subpoenas; and

“(C) the responsibility to make recommendations to the Administrator.

“(3) CONTACT INFORMATION.—The Ombudsman shall maintain, in each region of the Agency, a telephone number, facsimile number, electronic mail address, and post office address for the Ombudsman that are different from the numbers and addresses of the regional office of the Agency located in that region.

“(4) REPORTS.—The Ombudsman—  
“(A) shall, at least annually, publish in the Federal Register and submit to the Administrator, the President, the Committee on Environment and Public Works of the Senate, and the Committee on Energy and Commerce of the House of Representatives a report on the status of health and environmental concerns addressed in complaints and cases brought before the Ombudsman in the period of time covered by the report;

“(B) may issue reports, conclusions, or recommendations concerning any other matter under investigation by the Office;

“(C) shall solicit comments from the Agency concerning any matter under investigation by the Office; and

“(D) shall include any comments received by the Office in written reports, conclusions, and recommendations issued by the Office under this section.

“(f) PENALTIES.—An investigation conducted by the Ombudsman under this section constitutes—

“(1) a matter under section 1001 of title 18, United States Code; and

“(2) a proceeding under section 1505 of title 18, United States Code.

“(g) EMPLOYEE PROTECTION.—

“(1) IN GENERAL.—No employer may discharge any employee, or otherwise discriminate against any employee with respect to compensation, terms, conditions, or privileges of employment of the employee, because the employee (or any person acting at the request of the employee) complied with any provision of this section.

“(2) COMPLAINT.—Any employee that, in the opinion of the employee, is discharged or otherwise discriminated against by any person in violation of paragraph (1) may, not later than 180 days after the date on which the violation occurs, file a complaint in accordance with section 211 of the Energy Reorganization Act of 1974 (42 U.S.C. 5851).

“(h) APPLICABILITY.—

“(1) IN GENERAL.—This section—

“(A) does not limit any remedy or right of appeal; and

“(B) may be carried out notwithstanding any provision of law to the contrary that provides that an agency action is final, not reviewable, or not subject to appeal.

“(2) EFFECT ON PROCEDURES FOR GRIEVANCES, APPEALS, OR ADMINISTRATIVE MATTERS.—The establishment of the Office does not affect any procedure concerning grievances, appeals, or administrative matters under this Act or any other law (including regulations).

“(i) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There are authorized to be appropriated to carry out this section—

“(A) \$3,000,000 for each of fiscal years 2004 and 2005;

“(B) \$4,000,000 for each of fiscal years 2006 through 2009; and

“(C) \$5,000,000 for each of fiscal years 2010 through 2013.

“(2) SEPARATE LINE ITEM.—In submitting the annual budget for the Federal Government to Congress, the President shall in-

clude a separate line item for the funding for the Office.”.

### WELCOMING THE PRESIDENT OF THE PHILIPPINES

Mr. BROWNBACK. I ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 152 which was submitted earlier today and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 152) welcoming the President of the Philippines to the United States, expressing gratitude to the Government of the Philippines for its strong cooperation with the United States in the campaign against terrorism and its membership in the coalition to disarm Iraq, and reaffirming the commitment of Congress to the continued expansion of friendship and cooperation between the United States and the Philippines.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BROWNBACK. I ask unanimous consent the resolution and the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 152) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 152

Whereas the United States and the Philippines have shared a special relationship as close friends for more than a century;

Whereas the United States and the Philippines have been allies for more than 50 years under the Mutual Defense Treaty which was signed at Washington on August 30, 1951 (3 UST 3947);

Whereas the United States and the Philippines share a common commitment to democracy, human rights, and freedom;

Whereas the United States and the Philippines share a common goal of bringing peace, stability and prosperity to the Asia-Pacific region;

Whereas the President of the Philippines, Her Excellency Gloria Macapagal-Arroyo, was the first leader in Asia to commit full support for the United States and its war against global terror after the terrorist attacks of September 11, 2001;

Whereas the Governments of the United States and the Philippines have effectively joined forces to combat the terrorist threat in Southeast Asia and are collaborating on a comprehensive political, economic, and security program designed to defeat terrorist threats in the Philippines, including those from Muslim extremists, Communist insurgents and international terrorists;

Whereas the Governments of the United States and the Philippines believe that, in light of growing evidence that links exist between entities in the Philippines and the international terrorist groups, the two countries should enhance their cooperative efforts to combat international terrorism;

Whereas Government of the United States welcomes and will assist the efforts of the Government of the Philippines to forge a lasting peace, protect human rights, and promote economic development on the island of Mindanao;

Whereas President Arroyo has fully supported the United States' position on Iraq, including joining the coalition to enact change in Iraq and arranging to send a humanitarian contingent to help the newly-liberated people of that country;

Whereas the United States welcomes the strong statements by President Arroyo on the need for North Korea to accept international norms on non-proliferation of weapons of mass destruction;

Whereas the United States fully supports the campaign of President Arroyo to implement economic and political reforms and to build a strong Republic in the Philippines to defend Philippine democracy from terror and to strengthen the Philippines as an ally of the United States: Now, therefore, be it

*Resolved*, That Congress

(1) welcomes the President, Her Excellency Gloria Macapagal-Arroyo, to the United States;

(2) expresses profound gratitude to the Government and the people of the Philippines for the expressions of support and sympathy provided after the September 11, 2001, terrorist attacks, and for the Philippines' strong cooperation in the on-going war against global terrorism, membership in the coalition to disarm Iraq, and assistance in helping to rebuild that country; and

(3) reaffirms its commitment to the continued expansion of friendship and cooperation between the Governments and the people of the United States and the Philippines.

### UNITED NATIONS REMOVAL OF ECONOMIC SANCTIONS AGAINST IRAQ

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Senate Foreign Relations Committee be discharged from further action on H. Con. Res. 160 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 160) expressing the sense of Congress that the United Nations should remove the economic sanctions against Iraq completely and without condition.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. BROWNBACK. I ask unanimous consent that the concurrent resolution and preamble be agreed to and the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 160) was agreed to.

The preamble was agreed to.